

ZB# 01-59

James Manera

29-1-70

Prelim.
Oct. 22, 2001

Public Hearing:

Nov. 26, 2001.

Granted

Refund \$212.00

#01-50 Manera, James
Area 29-1-70.



APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Manera, James

FILE# 01-58

RESIDENTIAL: \$50.00

COMMERCIAL: \$150.00

INTERPRETATION: \$150.00

AREA X

USE

APPLICATION FOR VARIANCE FEE \$ 50.00

Paid ck# 7482

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 300.00

*Paid ck# 7481
11/01/01*

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 10/22/01 - 2 \$ 9.00

2ND PRELIMINARY- PER PAGE \$

3RD PRELIMINARY- PER PAGE \$

PUBLIC HEARING - PER PAGE 11/26/01 - 2 \$ 9.00

PUBLIC HEARING (CONT'D) PER PAGE \$

TOTAL \$ 18.00

ATTORNEY'S FEES: \$35.00 PER MEEETING

PRELIM. MEETING: 10/22/01 \$ 35.00

2ND PRELIM. \$

3RD PRELIM. \$

PUBLIC HEARING. 11/26/01 \$ 35.00

PUBLIC HEARING (CONT'D) \$

TOTAL \$ 70.00

MISC. CHARGES:

..... \$
TOTAL \$ 88.00

LESS ESCROW DEPOSIT \$ 300.00

(ADDL. CHARGES DUE) \$

REFUND DUE TO APPLICANT .. \$ 212.00

Refund



TOWN OF NEW WINDSOR

TRUST AND AGENCY FUND
555 UNION AVE.
NEW WINDSOR, NY 12553

3687

29-17213

PAY
TO THE
ORDER OF

James Manera

DATE

12-5-01

\$ 212.00

TOWN OF
NEW WINDSOR 212 dol's 00 Cts

DOLLARS



04205 www.fleet.com
Government Banking

FOR

Reimbursement Escrow Service

⑆003687⑆ ⑆021300019⑆ 52090 00433⑆ ⑆0000021200⑆

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE
RESERVED FOR FINANCIAL INSTITUTION USE *

ENDORSE HERE
Heidi Zeller
Sharon Marshall
474109084

FLEET

Features listed below, as well as those
not listed, exceed industry guidelines.

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3 12/18/01 3
⑆0212-040005⑆ 3
3 017 3
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HUDSON BANK 12/07/01
NEW YORK, NY 10017-0001
5200000050 RND205

TOWN OF
NEW WINDSOR

⑆003687⑆ ⑆021300019⑆ 52090 00433⑆ ⑆0000021200⑆

Date _____

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO

James Manera

DR.

4 Abby Lane Rock Tavern, N.Y.

12575-

DATE		CLAIMED	ALLOWED
12/5/01	Refund of Escrow Deposit	212	00
	#01-59		
	THW CK.		
	#3687		

M

KATHLEEN M. MANERA
JAMES B. MANERA
4 ABBY LANE
ROCK TAVERN, NY 12575

7481

80-7138/2219

Date 11-2-01

Pay to the
order of

Town of New Windsor

\$ 300.00

THREE HUNDRED ⁰⁰/₁₀₀

Dollars

THE WARWICK SAVINGS BANK
MORRIS, NY 10959

For 28A #01-59



⑆221971332⑆ 022 0200206 7481

M

KATHLEEN M. MANERA
JAMES B. MANERA
4 ABBY LANE
ROCK TAVERN, NY 12575

7482
50-7133/2210

Date 11-2-01

Pay to the
order of

Town of New Windsor

\$ 50.00

FIFTY 00
RE

Dollars 

THE WARWICK SAVINGS BANK
MORRIS, NY 10883

For

ZBA #01-59



⑆221971332⑆ 022 0200206 7482

**Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611**

**RECEIPT
#1040-2001**

11/02/2001

Manera, Kathleen M. & James #01-59

**Received \$ 50.00 for Zoning Board Fees on 11/02/2001. Thank you for stopping by
the Town Clerk's office.**

As always, it is our pleasure to serve you.

**Deborah Green
Town Clerk**

-----X
In the Matter of the Application of

JAMES MANERA

MEMORANDUM OF
DECISION GRANTING
AREA VARIANCE

#01-59.
-----X

WHEREAS, JAMES MANERA, residing at 4 Abby Lane, New Windsor, New York, N. Y. 12553, has made application before the Zoning Board of Appeals for a variation of Section 48-14A(4) of the Supplemental Yard Regulations to allow an existing shed to project closer to road than principle structure at the above single-family residence in an R-1 zone; and

WHEREAS, a public hearing was held on the 26th day of November, 2001 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared on behalf of this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a residential property consisting of a one-family home located in a neighborhood containing one-family homes.

(b) The existing shed is located in its present location because the septic system is located in the rear, a pool is located on one side and the other side drops into wetlands.

(c) The shed has been in existence for approximately 3-4 years, and no complaints have been made either formally or informally regarding the existing shed.

(d) The shed is not visible from the property neighboring it.

(e) The existing shed does not cause any water problems including the diversion of drainage or ponding or collection of water.

(f) The shed is not located on top of, or over any water or sewer easement, or any septic system or well.

(g) The existing shed is similar in size and appearance to other sheds in the neighborhood.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to the Applicant which can produce the benefits sought.

3. The variance requested is substantial in relation to the Town regulations but nevertheless is warranted.

4. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.

6. The benefit to the Applicant, if the requested variance is granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.

7. The requested variance is appropriate and is the minimum variance necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variance.

NOW, THEREFORE, BE IT

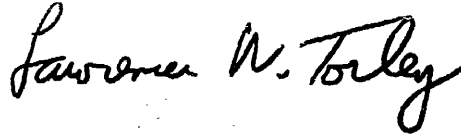
RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a variation of Section 48-14A(4) of the Supplemental Yard Regulations to allow an

existing shed to project closer to the road than principle structure at the above address, in an R-1 zone as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: February 25, 2002.

A handwritten signature in black ink, reading "Lawrence W. Torley". The signature is written in a cursive style with a large, looped "L" and a stylized "T".

Chairman

Date 12/3/01

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Francis Roth DR.
168 N. Liberty Lane
Newburgh, N.Y. 12550

DATE			CLAIMED	ALLOWED
1/16/01	Zoning Board Mtg		75 00	
	Misc. - 2	Marcia - 2		
	Leonetti - 1	53.45	238 50	
	Applied Building - 1			
	Muratore - 2		313 50	
	Mlythe - 1			
	U & B Associates - 2			
	Conklin - 4			
	Baker - 3			
	Harris - 5			
	Misheel Realty - 13			
	Lucas - 6			
	Shreehan - 3			

MANERA, JAMES

MR. TORLEY: Request for variation to Section 48-14A(4) of Supplemental Yard Regulations to allow existing shed projecting closer to road than residence at 4 Abby Lane in an R-1 zone.

Mr. James Manera appeared before the board for this proposal.

MS. CORSETTI: We have an affidavit here stating that we mailed out 15 notices on November 2 to property owners.

MR. TORLEY: Is there anyone in the audience who wishes to speak on this matter? Seeing none, so note no one wishes to speak.

MR. MANERA: Basically, I have the shed that's located in the front, I guess couldn't get a permit because it was in the front, just asking that we get the C.O. for the shed.

MR. TORLEY: Why was it placed in the front of your principal dwelling?

MR. MANERA: Well, you come down my driveway, you have the house sits here, okay, in the back is the septic system, on the side, I have a pool, on the other side, it drops down into wetlands, no other place to put it.

MR. KANE: How long has it been up?

MR. MANERA: Three or four years.

MR. KANE: Any complaints formally or informally?

MR. MANERA: Actually, my neighbor who's the closest to us says they can't even see it and as you can see, I showed you picture, it's covered by trees.

MR. TORLEY: It's not over, there's no sewer or water out there, it's not over any septic system or wells?

MR. MANERA: No, it isn't.

MR. TORLEY: Not causing any water problems for your neighbors?

MR. MANERA: Absolutely not.

MR. MC DONALD: Over any easements?

MR. MANERA: No.

MR. TORLEY: Any complaints, formal or informal?

MR. MANERA: Absolutely not.

MR. KRIEGER: It's similar in size and appearance to other sheds in the neighborhood?

MR. MANERA: I would say yes, nothing enormous.

MR. KRIEGER: Not identical, just similar.

MR. MANERA: Yeah, it's a Mr. Shed shed, that's it is.

MR. REIS: I make a motion that we grant Mr. Manera his requested variance at 4 Abby Lane.

MR. KANE: Second it.

ROLL CALL

MR. KANE	AYE
MR. REIS	AYE
MR. RIVERA	AYE
MR. MCDONALD	AYE
MR. TORLEY	AYE

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

Prelim.
Oct. 22, 2001
01-59

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: 9/18/01

APPLICANT: James Manera
4 Abby Lane
Rock Tavern, NY 12575

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:

FOR : Existing 12x20 shed permit

LOCATED AT: 4 Abby Lane

ZONE: R-1 Sec/Blk/ Lot: 29-1-70

DESCRIPTION OF EXISTING SITE: Existing one family house

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Existing 12x20 shed projects closer to the road than the existing house.

COPY

[Signature]
BUILDING INSPECTOR

PERMITTED NOT

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-1 USE: 48-14-A-4

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FOR OFFICE USE ONLY:
Building Permit #: 2001-960

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE PERMIT WILL BE ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises James & Kathleen Manera
Address 4 Abby Lane Rock Tavern, NY Phone # (845) 496-7376
Mailing Address same Fax # _____
Name of Architect _____
Address _____ Phone _____
Name of Contractor _____

Address _____ Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder _____

If applicant is a corporation, signature of duly authorized officer _____
(Name and title of corporate officer)

1. On what street is property located? On the _____ side of _____
(N, S, E or W)
and _____ feet from the intersection of _____

2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N _____

3. Tax Map Description: Section 29 Block 1 Lot 70

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy _____ b. Intended use and occupancy _____

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other Existing

6. Is this a corner lot? No

7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories 12x29
Shed

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost _____ Fee \$50.00

PAID 50-
check* 7400
out of

1 / 1
date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances


Building Inspector: Michael L. Babcock
Ast. Inspectors Frank Liel & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4618
(845) 563-4695 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

X 
(Signature of Applicant)

4 Abby Lane Rock Tavern, NY
(Address of Applicant)

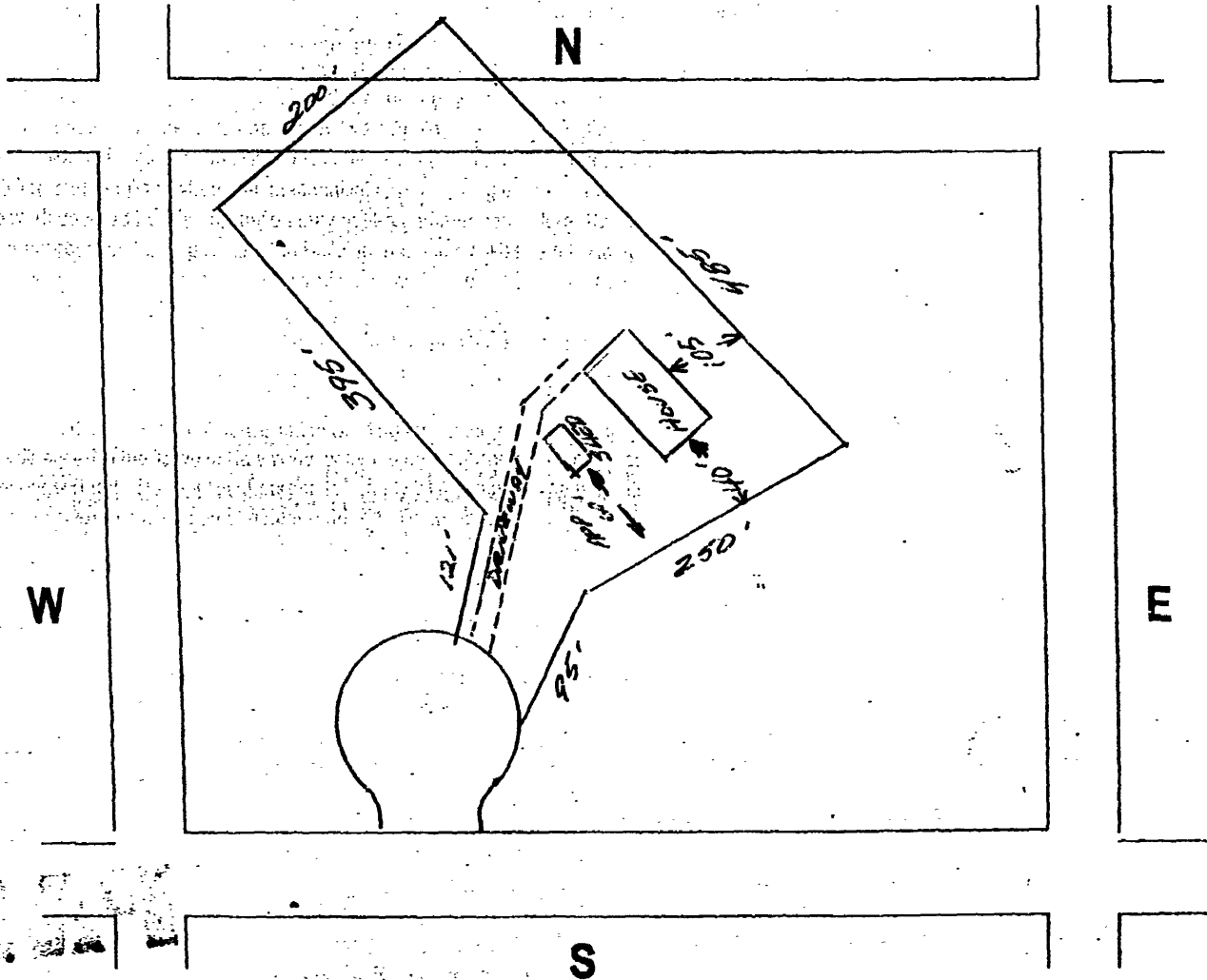
X 
(Owner's Signature)

4 Abby Lane Rock Tavern, NY 12575
10/2/95

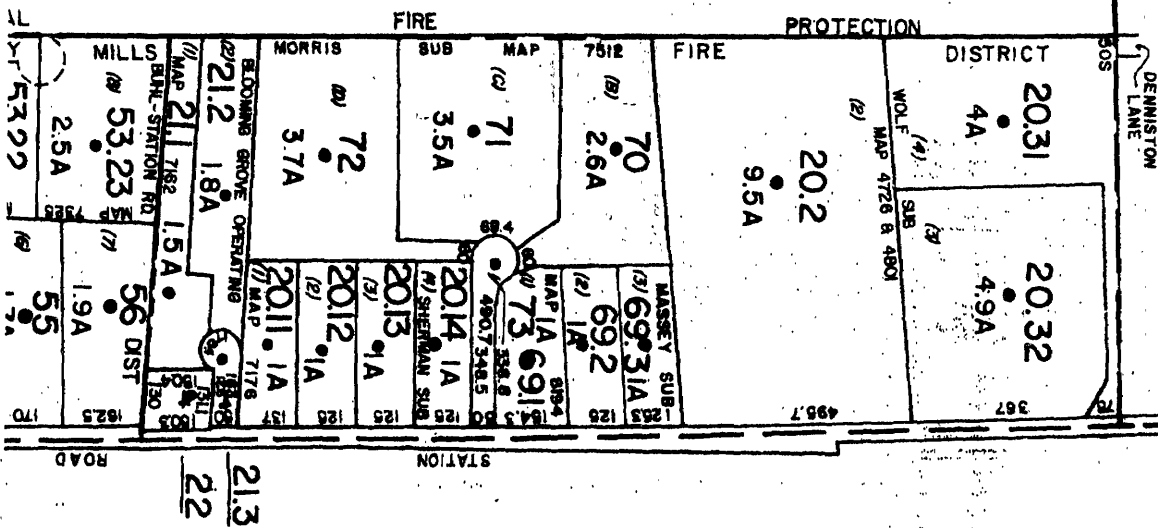
PLOT PLAN

12-513

NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



SEE SECTION 31
1" = 100'



SECTION 54

N53
E558.00

26.11
P4 A.

**ZONING BOARD OF APPEALS:TOWN OF NEW WINDSOR
COUNTY OF ORANGE:STATE OF NEW YORK**

In the Matter of the Application for Variance of

**AFFIDAVIT OF
SERVICE
BY MAIL**

James Manera

01-59.

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

PATRICIA A. CORSETTI, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 7 Franklin Avenue, New Windsor, N. Y. 12553.

That on the 2nd day of November, 2001, I compared the 15 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor regarding the above application for a variance and I find that the addresses are identical to the list received. I then caused the envelopes to be deposited in a U.S. Depository within the Town of New Windsor.

Patricia A. Corseth

Notary Public

Sworn to before me this

____ day of _____, 20____.

Notary Public

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

4930

THIS INDENTURE, made the 6th day of January, nineteen hundred and eighty seven
 BETWEEN ~~GROVE HOMES, INC.~~, P.O. Box 188, Washingtonville, New York,
 VINCENT BIAGINI

party of the first part, and JAMES B. MANERA and KATHLEEN M. MANERA, husband and wife, both residing at 15 Marc Terrace, Monroe, New York,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of ten dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of New Windsor, County of Orange and State of New York known as Parcel "B" on Map entitled "Subdivision of Lot #5 for Arthur Morris" filed in the Orange County Clerk's Office on March 11, 1986 as Map #7512 and more particularly described as follows:

BEGINNING at a point on the southerly line of lands N/F McCracken (L 2125-P493) said point being the northwest corner of Parcel "A" and the northeast corner of Parcel "B" of filed map #7512. Thence from said point of beginning and along the division line of Parcels "A" and "B" the following two (2) courses and distances: (1) S 25° 51' 15" W 250.00 feet to a point; thence (2) S 7° 22' 29" W 94.92 feet to a point; thence along the northerly line of a private road on a curve to the left having a radius of 50.00 feet for an arc length of 60.00 feet to a point; thence along the division line of Parcels "B" and "C" of said filed map #7512 the following two courses and distances: (1) N 5° 54' 16" W 121.66 feet to a point; thence (2) N 64° 08' 45" W 395.00 feet to a point; thence along lands N/F Solitron Devices, Inc. (L 1889-P 352) N 26° 00' 42" E 200.00 feet to a point; thence along lands N/F McCracken (L 2125-P 493) S 68° 09' 32" E 485.98 feet to the point of beginning.

4376/dah

D.B.

052109

Sect. 29

lot 20, 15

36041

CONTAINING in area 2.578 acres of land more or less.

This conveyance is subject to the terms of a Road Maintenance Agreement dated March 27, 1986 which was recorded in the Orange County Clerk's Office on May 8, 1986.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

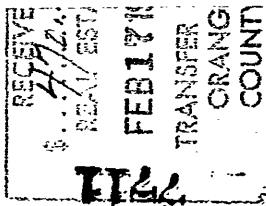
IN PRESENCE OF:

GROVE HOMES, INC.

Vincent Biagini
VINCENT BIAGINI, ~~President~~

LIBER 2660 PG 181

RESERVE THIS SPACE FOR USE OF



LIBER 2660 PG 182

Orange County Clerk's Office
Recorded on the 17 of Feb 1987 at
o'clock 9 M. in Lib
at page 182
and Examined:

Marion

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

4930

4376/dah
O.B.
8

THIS INDENTURE, made the 6th day of January, nineteen hundred and eighty seven
BETWEEN ~~GROVE HOMES, INC.~~, P.O. Box 188, Washingtonville, New York,
VINCENT BIAGINI

STATE OF NEW YORK, COUNTY OF *Orange*

On the 6th day of *January* 1987, before me personally came

VINCENT BIAGINI

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that he executed the same.

Steven I. Schechtman

STEVEN I. SCHECHTMAN
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ROCKLAND COUNTY
COMMISSION EXPIRES: *9/26/88*

SS: STATE OF NEW YORK, COUNTY OF

SS:

On the 19 day of , before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF ORANGE

On the 6 day of January 1987, before me personally came Vincent Biagini

to me known, who, being by me duly sworn, did depose and say that he resides at No. Woodcock Mountain Road, Washingtonville, NY ; that he is the President of Grove Homes, Inc.

the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal, that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

SS: STATE OF NEW YORK, COUNTY OF

SS:

On the 19 day of , before me personally came

the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No.

that he knows

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

Notary Public, State of New York
Qualified in Real Estate
Commission Expires March 30, 1988
9

Bargain and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE NO. _____

GROVE HOMES, INC.,

TO

JAMES B. MANERA and KATHLEEN M.
MANERA,

STANDARD FORM OF NEW YORK BOARD OF TITLE UNDERWRITERS
Distributed by
SECURITY TITLE AND GUARANTY COMPANY

CHARTERED 1928 **ST** IN NEW YORK

SECTION
BLOCK
LOT
COUNTY OR TOWN

470-
11-
5-

RETURN BY MAIL TO:

ALVIN GOLDSTEIN, ESQ.
High Street
P.O. Box 491
Chester, New York 10918

Zip No.

Clear and Skt.

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

RECEIVED
4/12/88
REAL ESTATE
FEB 17 1987
TRANSFER TAX
ORANGE
COUNTY

LIBER 2660 PG 182

Orange County Clerk's Office, s.s.
Recorded on the 17th day
of Feb. 1987 at 10:00
o'clock A.M. in Liber 2660
at page 182
and Examined!

Marion S. Murphy
Clerk

Pls. publish immediately. Send bill to below Applicant.

PUBLIC NOTICE OF HEARING

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 59

Request of James Manera

for a VARIANCE of the Zoning Local Law to Permit:

existing shed that projects closer to road than residence;

being a VARIANCE of Section 48-14 - Supplemental Yard Regs.

for property situated as follows:

4 Abby Lane, New Windsor, Ny.

known and designated as tax map Section 29, Blk. 1 Lot 70

PUBLIC HEARING will take place on the 26th day of November, 2001 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 o'clock P.M.

Lawrence Torley
Chairman

By: Patricia A. Corsetti, Secy.

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
APPLICATION FOR VARIANCE

01-59

Date: 10/22/01

- I. ✓ Applicant Information: (845) 496-7376
- (a) James Manera - 4 ABBY LANE ROCK TAVERN, NY 12575 - Same
(Name, address and phone of Applicant) (Owner)
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
- ☒ Area Variance ☐ Interpretation

- III. ✓ Property Information:
- (a) R-1 4 Abby Lane 29-1-70 2.6 acres
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? NONE
- (c) Is a pending sale or lease subject to ZBA approval of this application? No
- (d) When was property purchased by present owner? 1/87
- (e) Has property been subdivided previously? No
- (f) Has property been subject of variance previously? No
If so, when? _____
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? _____
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: yes, shed in question
- _____
- _____
- _____

IV. Use Variance. N/A

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow: _____
(Describe proposal) _____
- _____
- _____
- _____

(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes No .

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

V. ☒ Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-14, Table of Supp. Yard Regs., col. 1.

A-4.
Shed Projects closer to road than principal structure.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yd. _____	_____	_____
Reqd. Side Yd. _____	_____	_____
Reqd. Rear Yd. _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Dev. Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____
Parking Area _____	_____	_____

* Residential Districts only

** No-residential districts only

☒ (b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe why you believe the ZBA should grant your application for an area variance:

shed was constructed in the only place suitable
for property - It is not close or visible to any
of the adjacent properties.

(You may attach additional paperwork if more space is needed)

VI. Sign Variance: N/A

(a) Variance requested from New Windsor Zoning Local Law,
 Section _____, _____ Regs.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign	_____	_____	_____
Sign 3	_____	_____	_____
Sign	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation. N/A

(a) Interpretation requested of New Windsor Zoning Local Law,
 Section _____, Table of _____ Regs.,
 Col. _____.

(b) Describe in detail the proposal before the Board:

✓ VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

upgraded and that the intent and spirit of the New Windsor Zoning is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

shed is surrounded by trees

IX. Attachments required:

- ☒ Copy of referral from Bldg./Zoning Insp. or Planning Bd.
- ☒ Copy of tax map showing adjacent properties.
- ☒ Copy of contract of sale, lease or franchise agreement.
- ☒ Copy of deed and title policy.
- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☒ N/A. Copy(ies) of sign(s) with dimensions and location.
- ☒ Two (2) checks, one in the amount of \$ 50.00 and the second check in the amount of \$ 300.00, each payable to the TOWN OF NEW WINDSOR.
- ☒ Photographs of existing premises from several angles.

X. Affidavit.

Date: 10/22/01

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

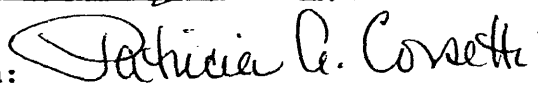
The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.


(Applicant)

Sworn to before me this

2nd day of November, 192001.

XI. ZBA Action:



PATRICIA A. CORSETTI
Notary Public, State of New York
No. 01BA4904434
Qualified in Orange County
Commission Expires August 31, 2005.

(a) Public Hearing date: _____.

Date 10/26/01

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth
..... 188 N. Drury Lane DR.
Newburgh, N.Y. 12550
.....

DATE			CLAIMED	ALLOWED
10/26/01		Zoning Board Meeting	75 00	
		Misc. - 1		
		Searing - 5		
		Moishe - 4		
		Santos - 4		
		Sheehan - 2		
		Lucas - 3		
		Weed - 6		
		Manera - 2		
		Scheuermann - 2		
		Di Micelli - 6		
		Pila/OC Trust - 3		
		Botzakis - 3		
			47	
			211 50	
			286 50	

MANERA, JAMES

MR. TORLEY: Request for variation of Section 48-14A(4) to allow existing shed to project closer to road than residence at 4 Abby Lane in R-1 zone.

Mr. James Manera appeared before the board for this proposal.

MR. KANE: How far off the road is the shed?

MR. MANERA: Well, it's a personal driveway off Station Road about 600 feet, that's why.

MR. KANE: For the record.

MR. MANERA: I didn't understand why he said it was closer to the road.

MR. TORLEY: It's a private road.

MR. MANERA: That's my driveway.

MR. KANE: How long has the shed been in existence?

MR. MANERA: Roughly, three years.

MR. KANE: And any creation of water hazards or runoffs whatsoever?

MR. MANERA: No.

MR. KANE: Any complaints either formally or informally?

MR. MANERA: No.

MR. MC DONALD: Over any easements or anything?

MR. MANERA: No.

MR. TORLEY: How old is this development that you're in?

MR. MANERA: I've been in there about 13, 14 years.

MR. TORLEY: Obviously, insofar as people moving on a public hearing, they don't even know you're there.

MR. MANERA: No, as you can see from the pictures.

MR. KANE: The shed's not visible?

MR. MANERA: No, one of the pictures taken from the front of my house you can't even see it.

MR. TORLEY: Do you have any other questions?

MR. MC DONALD: Accept a motion?

MR. TORLEY: Yes.

MR. MC DONALD: Make a motion we set up Mr. Manera for a public hearing.

MR. RIVERA: Second it.

ROLL CALL

MR. KANE	AYE
MR. MC DONALD	AYE
MR. RIVERA	AYE
MR. TORLEY	AYE



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessors Office

November 1, 2001

James and Kathleen Manera
4 Abby Lane
Rock Tavern, NY 12575

15

RE:29-1-70

Dear Mr. & Mrs. Manera,

According to our records, the attached list of property owners are abutting to the above referenced property.

The charge for this service is \$35.00, minus your deposit of \$25.00

Please remit the balance of \$10.00 to the Town Clerk's Office.

Sincerely,

Leslie Cook
Sole Assessor

LC/srr
Attachments

CC: Pat Corsetti, ZBA

29-1-20.11

Kevin & Amy Lynn Goggin
553 Station Road
Rock Tavern, NY 12575

29-1-69.3

Gregory DeAngelis
589 Station Road
Rock Tavern, NY 12575

29-1-20.12

Thaddeus & Joanne McCourt
559 Station Road
Rock Tavern, NY 12575

29-1-71 29-1-73

Hajrudin Purisic
6 Abby Lane
Rock Tavern, NY 12575

29-1-20.13

Stephen & Mary Ellen Carolan
565 Station Road
Rock Tavern, NY 12575

29-1-72

Michael Merainer
3 Abby Lane
Rock Tavern, NY 12575

29-1-20.14

Mark & Marcel Milstein
571 Station Road
Rock Tavern, NY 12575

54-1-1.12

Westminster Church
560 Station Road
Rock Tavern, NY 12575

29-1-20.2

Cynthia Leghorn
601 Station Road
Rock Tavern, NY 12575

54-1-53.1

Clay & John Jr. & Dorothy Clement
C/o Dorothy Clement
548 Station Road
Rock Tavern, NY 12575

29-1-20.31

Roy Galewski
4 Denniston Lane
Rock Tavern, NY 12575

29-1-20.32

Daniel & Kathleen Kelly
625 Station Road
Rock Tavern, NY 12575

29-1-26.11

Rock Tavern Village LP
614 Little Britain Road
New Windsor, NY 12553

29-1-69.1

Lloyd Harmon
577 Station Road
Rock Tavern, NY 12575

29-1-69.2

Charles & Janet Churik
PO Box 220
Rock Tavern, NY 12575

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

Prelim.
Oct. 22, 2001.
7:30 p.m.
#01-55.

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.

DATE: 9/11/01

APPLICANT: Jose Santos
1009 Pine View
New Windsor, NY 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 9/10/01

FOR : 2nd Dwelling unit

LOCATED AT: 1009 Pine View

ZONE: R-3 Sec/Blk/ Lot: 89-4-5

DESCRIPTION OF EXISTING SITE: Single family – 1 dwelling unit

IS DISAPPROVED ON THE FOLLOWING GROUNDS: 48-12 use/bulk table R-3, A-9

1. Two family dwelling requires 50,000sqft of lot area, property is 27,147sqft. A varaince of 22,853sqft is required.

COPY

Louis J. Kucher
BUILDING INSPECTOR

PERMITTED Two

PROPOSED:

VARIANCE
REQUEST:

ZONE: R-3 USE: Single Family Two Family

MIN LOT AREA: 50,000sqft 27,147sqft 22,853sqft

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FOR OFFICE USE ONLY:
Building Permit #: 2001-934

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE PERMIT WILL BE ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises JOSE SANTOS

Address 1009 Pineview New Windsor Phone # (845) 567-3275

Mailing Address SAME AS ABOVE Fax # (845) 567-3276

Name of Architect N/A

Address N/A Phone N/A

Name of Contractor _____

Address _____ Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder OWNER of residence

If applicant is a corporation, signature of duly authorized officer _____

(Name and title of corporate officer) _____

1. On what street is property located? On the South side of Pineview
(N, S, E or W)
and Approx. 100 feet from the intersection of Forest Glen + Pineview

2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N _____

3. Tax Map Description: Section 89 Block 4 Lot 5

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction

a. Existing use and occupancy 2 story Residence b. Intended use and occupancy Finish Basement for Apartment for handicapped brother + elderly mother

5. Nature of work (check if applicable) ☐ New Bldg. ☒ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other _____

6. Is this a corner lot? No

7. Dimensions of entire new construction. Front 30 x 62 Rear _____ Depth _____ Height _____ No. of stories 1

8. If dwelling, number of dwelling units: 2 Number of dwelling units on each floor _____

Number of bedrooms 2 Baths 1 Toilets 1 Heating Plant: Gas _____ Oil _____
Electric/Hot Air _____ Hot Water ☒ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost \$20,000 Fee \$50.00

CR# 1938
dtd 9/10/01

PAID

09 / 10 / 01

date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors Frank Lisi & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4618
(845) 563-4695 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)

(Owner's Signature)

1009 Pineview New Windsor
(Address of Applicant)

1009 Pineview New Windsor
(Owner's Address)

PLOT PLAN

NOTE:

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.

N

* Objective

To "finish" basement into a 2
bedroom apartment for handicapped
brother and elderly mother.

see attached

W

E

S

CHART